

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:16-CR-00074-MOC-DSC**

**UNITED STATES OF AMERICA,**

**vs.**

**JERITON LAVAR CURRY,**

Defendant.

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**ORDER**

**THIS MATTER** comes before the Court on Defendant’s *pro se* Motion for Compassionate Release, brought pursuant to 18 U.S.C. § 3582(c)(1)(A). See Doc. No. 324. On July 2, 2020, the Court ordered the Government to respond to Defendant’s motion. See Doc. No. 325. Once the Government responded, the Court reviewed both motions, ultimately entering an order on July 22, 2020, which denied Defendant’s Motion for Compassionate Release. See Doc. No. 332. A week later, the Court received a *pro se* Motion for Extension of Time to file a reply to the Government’s response. See Doc. No. 333. The Court denied the request as moot, so Defendant instead filed a *pro se* Motion to Reconsider Compassionate Release. See Doc. No. 335.

In his Motion to Reconsider, Defendant again asserts he should receive Compassionate Release, presenting several reasons. First, he asserts that the Court “cannot rely on the [Bureau of Prisons] to protect [inmates] with serious health issues like [himself]” because the Bureau “has failed to protect inmates during the [COVID-19] pandemic and has become the focus of mounting criticism.” Id. at 3–4. Second, in addition to the general problems with facing COVID-19 while imprisoned, Defendant asserts several staff members are now “showing positive for COVID-19” at his place of incarceration. Id. at 9. Third, Defendant again maintains that his health conditions place him “at a higher risk of becoming severely ill if infected with COVID-19.” Id. Fourth,

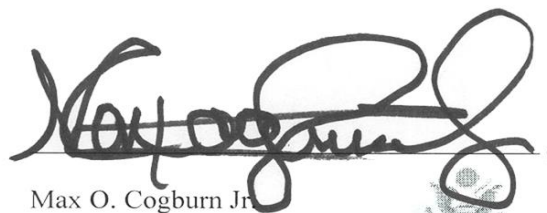
Defendant asserts he has engaged in “more positive than negative” activities during incarceration, including completing several educational courses and serving as the lead GED tutor and a parenting class instructor. Id. at 1, 11, 18–21. Finally, Defendant states that he has a plan to prevent recidivism, which includes serving as a motivational speaker for youth upon release, maintaining employment, and living with his grandmother and wife. See id. at 1.

The Court has carefully reviewed all of Defendant’s arguments and his attachments. Likewise, the Court again considered the state of the COVID-19 pandemic—both generally and within Defendant’s place of imprisonment—his criminal history, his disciplinary record while imprisoned, and his age and medical conditions. The Court applauds Defendant for the efforts he has taken to improve himself while incarcerated. Nevertheless, on balance, the weight of this evidence and the § 3553(a) factors still counsel against release. For reasons stated by the Court in its prior Order, Doc. No. 332, Plaintiff’s Compassionate Release Motion is again denied.

### **ORDER**

**IT IS, THEREFORE, ORDERED** that Defendant’s *pro se* Motion to Reconsider Compassionate Release, Doc. No. 335, is **DENIED**.

Signed: August 12, 2020

A handwritten signature in black ink, appearing to read "Max O. Cogburn Jr.", written over a horizontal line.

Max O. Cogburn Jr.  
United States District Judge